

U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:19-cv-02246-LB

Sierra Club v. Department of Energy
Assigned to: Magistrate Judge Laurel Beeler
Cause: 05:552 Freedom of Information Act

Date Filed: 04/25/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Sierra Club**

represented by **Cassandra Rose McCrae**
Earthjustice
1617 John F. Kennedy Blvd.
Suite 1130
Philadelphia, PA 19103
United Sta
212-823-4984
Email: cmccrae@earthjustice.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Kim Noelle Smacznak
Earthjustice
Clean Energy Program
1625 Massachusetts Avenue, NW
Suite 702
Washington, DC 20036
202-797-5247
Fax: 202-667-2356
Email: ksmacznak@earthjustice.org
ATTORNEY TO BE NOTICED

Stacey P. Geis
Earthjustice
50 California Street, Suite 500
San Francisco, CA 94111
(415) 217-2000
Fax: (415) 217-2040
Email: sgeis@earthjustice.org
ATTORNEY TO BE NOTICED

V.

Defendant**United States Department of Energy**

represented by **Kimberly Anne Robinson**
US Attorney's Office
450 Golden Gate
9th Fl
San Francisco, CA 94102
415-436-7298
Email: kimberly.robinson3@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/25/2019	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against United States Department of Energy (Filing fee \$ 400, receipt number 0971-13290294.). Filed by Sierra Club.

		(Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet)(Geis, Stacey) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>2</u>	Proposed Summons. (Geis, Stacey) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>3</u>	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-13290829.) filed by Sierra Club. (Smaczniak, Kim) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>4</u>	Certificate of Interested Entities by Sierra Club (Geis, Stacey) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>5</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Sierra Club.. (Geis, Stacey) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>6</u>	<p>Case assigned to Magistrate Judge Laurel Beeler.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening.</p> <p>Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 5/9/2019. (srnS, COURT STAFF) (Filed on 4/25/2019) (Entered: 04/25/2019)</p>
04/25/2019	<u>7</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 7/18/2019. Initial Case Management Conference set for 7/25/2019 11:00 AM in San Francisco, Courtroom B, 15th Floor. (fabS, COURT STAFF) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>8</u>	Summons Issued as to United States Department of Energy, U.S. Attorney and U.S. Attorney General (fabS, COURT STAFF) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/25/2019	<u>9</u>	ERRATA re <u>1</u> Complaint, by Sierra Club. (Attachments: # <u>1</u> Errata Errata to Complaint, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C)(Smaczniak, Kim) (Filed on 4/25/2019) (Entered: 04/25/2019)
04/26/2019	<u>10</u>	Order by Magistrate Judge Laurel Beeler granting <u>3</u> Motion for Pro Hac Vice. Attorney Kim Noelle Smaczniak representing Plaintiff. (ejkS, COURT STAFF) (Filed on 4/26/2019) (Entered: 04/26/2019)
05/02/2019	<u>11</u>	Summons Returned Unexecuted by Sierra Club as to United States Department of Energy. (Geis, Stacey) (Filed on 5/2/2019) (Entered: 05/02/2019)
05/02/2019	<u>12</u>	Proposed Summons. (Geis, Stacey) (Filed on 5/2/2019) (Entered: 05/02/2019)
05/03/2019	<u>13</u>	Summons Issued as to United States Department of Energy, U.S. Attorney and U.S. Attorney General (fabS, COURT STAFF) (Filed on 5/3/2019) (Entered: 05/03/2019)
05/22/2019	<u>14</u>	NOTICE of Appearance by Kimberly Anne Robinson (Robinson, Kimberly) (Filed on 5/22/2019) (Entered: 05/22/2019)
05/22/2019	<u>15</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by United States Department of Energy.. (Robinson, Kimberly) (Filed on 5/22/2019) (Entered: 05/22/2019)
05/24/2019	<u>16</u>	SUMMONS returned executed by Sierra Club. Defendant served on 5/10/19 by certified mail. (Smaczniak, Kim) (Filed on 5/24/2019) Modified on 5/28/2019 (mclS, COURT STAFF). (Entered: 05/24/2019)
06/05/2019	<u>17</u>	STIPULATION <i>Joint</i> filed by United States Department of Energy. (Robinson, Kimberly) (Filed on 6/5/2019) (Entered: 06/05/2019)
06/06/2019	<u>18</u>	ORDER re <u>17</u> Joint Stipulation to Enlarge Time to Answer or Respond to the Complaint. Signed by Judge Laurel Beeler on 06/06/2019. (ejkS, COURT STAFF)

		(Filed on 6/6/2019) (Entered: 06/07/2019)
06/21/2019	<u>19</u>	ANSWER to Complaint by United States Department of Energy. (Robinson, Kimberly) (Filed on 6/21/2019) (Entered: 06/21/2019)
07/03/2019	<u>20</u>	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-13490592.) filed by Sierra Club. (Geis, Stacey) (Filed on 7/3/2019) (Entered: 07/03/2019)
07/03/2019	<u>21</u>	Order by Magistrate Judge Laurel Beeler granting <u>20</u> Motion for Pro Hac Vice. Attorney Cassandra R. McCrae representing Plaintiff. (ejkS, COURT STAFF) (Filed on 7/3/2019) (Entered: 07/03/2019)
07/05/2019	<u>22</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (McCrae, Cassandra) (Filed on 7/5/2019) (Entered: 07/05/2019)
07/16/2019	<u>23</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Robinson, Kimberly) (Filed on 7/16/2019) (Entered: 07/16/2019)
07/16/2019	<u>24</u>	JOINT CASE MANAGEMENT STATEMENT filed by United States Department of Energy. (Robinson, Kimberly) (Filed on 7/16/2019) (Entered: 07/16/2019)
07/17/2019	<u>25</u>	MOTION to Appear by Telephone filed by Sierra Club. (McCrae, Cassandra) (Filed on 7/17/2019) (Entered: 07/17/2019)
07/18/2019	<u>26</u>	Order by Magistrate Judge Laurel Beeler granting <u>25</u> Motion to Appear by Telephone. Parties are to make arrangements through CourtCall. (ejkS, COURT STAFF) (Filed on 7/18/2019) (Entered: 07/18/2019)
07/25/2019	<u>27</u>	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Initial Case Management Conference held on 7/25/2019. The following documents the discussion at the CMC. (Not Reported):</p> <p>1) The government made a production in June and contemplates a second production in July.</p> <p>2) The government will confer with the agency and then the Plaintiffs about the categories of responsive documents (e.g. documents versus emails) and the volume (number of pages in the 8500 documents and in the categories of responsive documents).</p> <p>The parties will try to prioritize documents, including how they will be loaded in the review platform, because that may drive the review process. (For some agencies there is no ability to search in the review platform, which operates only as a mechanism to conduct the FOIA redactions). The parties will try to do this in two weeks, but it may take longer for the reasons described at the hearing. Preferably, the parties will have a plan by the end of August (including the government's proposal for rolling productions and a timeline) but it may take until mid September.</p> <p>3) The court set a further CMC for October 24, 2019 at 11:00 a.m. A short status update is due October 17, 2019.</p> <p>Further Case Management Conference set for 10/24/2019 11:00 AM in San Francisco, Courtroom B, 15th Floor. Case Management Statement due by 10/17/2019.</p> <p>Plaintiff's Attorneys (Phone): Cassandra McCrae and Kim Smacznak. Defendant's Attorney: Kimberly Robinson. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.) (ejkS, COURT STAFF) (Date Filed: 7/25/2019) (Entered: 07/25/2019)</i></p>